

Panaji, 13th June, 2013 (Jyaistha 23, 1935)

SERIES II No. 11

OFFICIAL GAZETTE



GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 10 dated 06-06-2013 namely, Extraordinary dated 12-06-2013 from pages 279 to 280 regarding Notifications from Department of Finance (Revenue & Control Division).

GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Corrigendum

No. 2/18/2012-13/D.Agri/289

Read: Order No. 2/18/2012-13/D.Agri/273 dated 22-11-2012.

In the above referred order the Group of Assistant Director of Agriculture may be read as "Group 'A' Gazetted" instead of "Group 'B' Gazetted".

By order and in the name of the Governor of Goa.

Satish S. P. Tendulkar, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 7th December, 2012.

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Department of Animal Husbandry & Veterinary Services

Directorate of Animal Husbandry & Veterinary Services

Order

No. 2/13/95-AH (part)/1313

Ref.: 2/13/95-AH (Part)/3921 dated 25-10-2012.

Government is pleased to extend the ad hoc promotion of Dr. Prashant Pai Dhungat, Assistant

Director, made vide Government Order No. 2/13/95-AH (Part)/805 dated 10-05-2012 for a further period of six months w.e.f. 10-05-2013 to 11-11-2013 or until such time the post is filled on regular basis, whichever is earlier.

By order and in the name of the Governor of Goa.

Dr. B. Braganza, Director & ex officio Joint Secretary (AH).

Panaji, 10th June, 2013.

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Department of Civil Supplies and Consumer Affairs

Corrigendum

No. DCS/ENF/Taluka-Matter/2013-14/88

Read: Order No. DCS/ENF/Taluka-Matter/2013-14/25 dated 23-4-2013 published in the Official Gazette Series II No. 5 dated 2-5-2013.

In the order read above for the words "Joint Mamlatdar II" appearing in column 3 under the head "Joint Mamlatdar" shall be read as "Joint Mamlatdar I". Other content of the order remains the same.

Vikas S. N. Gaunekar, Director & ex officio Joint Secretary (Civil Supplies & Consumer Affairs).

Panaji, 7th June, 2013.

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Department of Education, Art & Culture

Directorate of Art & Culture

Order

Ref. No. DAC/5/Ad-hoc/2012/3522

Government is pleased to promote, Smt. Maria de Lourdes Fatima Fernandes Bravo da Costa,

Librarian (Group 'B' Non-Gazetted) of this Directorate on ad hoc basis to the post of Asstt. State Librarian (Group 'B' Gazetted) in the pay scale of PB—2 ` 9,300-34,800 with Grade Pay ` 4,600/- plus usual allowances as admissible under the rules with immediate effect. The adhoc promotion shall be till the post is filled on regular basis or till the superannuation of the incumbent whichever is earlier.

The above promotion will not bestow on the promoted official any claim for regular appointment and the services rendered on ad hoc basis in the grade will not count for the purpose of seniority in the grade for eligibility for promotion to the higher grade.

Consequent upon her promotion she is posted against the vacant post of Smt. Malini Bhide retired on superannuation.

The expenditure towards pay & allowances of the above official shall be debited to the Budget Head 2205—Art & Culture, 00, 105—Public Libraries, 12—District Libraries (P), 01—Salaries under Demand No. 43”.

She shall report to the Curator, Central Library, Panaji.

By order and in the name of the Governor of Goa.

Prasad Lolayekar, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 12th October, 2012.

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Office of Secretary (Archives & Archaeology)

Notification

1/11/2011/Part IV/CS-1148

Sub.: Reis Magos Heritage Centre—Notification authorizing the Reis Magos Heritage Centre to carry out activities compatible with adaptive re-use of the Fort u/s 17/B of the Goa Ancient Monuments and Archaeological sites and Remains Act, 1978 and amendments and Rules thereunder—orders issued.

Ref.: 1. MOU dated 02-03-2007 made between the Government of Goa, Indian National Trust for Art and Cultural Heritage (INTACH) & Helen Hamlyn Trust (HHT).
2. Notification No. 1/11/2011/Part IV/CS-921 dated 5-11-2012 appointing General Council and Managing Committee of RMHC.

3. Notification No. 7/10/2010-2A dated 1-9-2010 of the Goa Ancient Monuments and Archaeological Sites and Remains (Amendment) Act (No. 12 of 2010).

Whereas, the Reis Magos Fort is a notified State Monument under the Goa Ancient Monuments and Archaeological Sites Remains Act, 1978 and;

Whereas, the Government, INTACH and HHT agreed to restore the Reis Magos Fort and put it into use as a Heritage and Cultural Centre and entered into MOU dated 2-3-2007, and;

Whereas, Goa Ancient Monuments and Archaeological sites and Remains Act, 1978 was amended vide Act 12 of 2010 to permit adaptive re-use of ancient monuments so as to enable the Government of Goa or any other agency appointed by it, to defray maintenance cost of such monuments through revenue earned from such use, and;

Whereas the Government has registered the Reis Magos Heritage Centre on 4-11-2011 vide 1166/Goa/2011 under the Societies Registration Act, set up the aims and objectives of the Society, and has nominated the General Council and the Managing Committee vide Notification No. 1/11/2011/Part IV/CS-921 dated 5-11-2012 and;

Whereas the Reis Magos Heritage Centre is required to carry out several activities in the fort premises in pursuance of its objectives with the authorization of the Government of Goa;

Now, therefore, in exercise of its powers under Section 17B of the Goa, Daman & Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (Act No. 1 of 1979) read with rule 37 of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Rules, 1980 and all other powers enabling it in this behalf, the Government of Goa hereby authorizes the Reis Magos Heritage Centre to carry out the following activities in connection with adaptive re-use of the Reis Magos Fort without affecting its basic character, archaeological, historical and heritage value as follows, namely;

- (1) Managing, Maintaining and conserving the Reis Magos Fort and areas appurtenant thereto declared by the Government as a protective zone around the said fort;
- (2) To obtain required permissions/approval whether statutory or otherwise, from the Government or any other authority, local body or institution;

- (3) Notwithstanding provisions contained in Rule 6 of the Goa, Daman & Diu Ancient Monuments and Archaeological Sites and Remains rules, 1980 to decide and fix appropriate fees for entry and appropriate charges for adaptive re-use of the said Fort and utilize the same for the defraying the cost of its maintenance;
- (4) To provide support services for the public visiting the said fort, including refreshment centers, public conveniences, etc. and such other services as decided by the Society from time to time, and to fix charges for the same;
- (5) To organize exhibitions, programmes, performances, displays, crafts, fairs, festivals, educational events, film shootings and to fix rates for the same;
- (6) To hold meetings, receptions, parties, conferences or entertainment and to fix the rates and charges for the same;
- (7) To assist in proper maintenance and upkeep of heritage property of the said fort, buildings and surrounding area by itself or through duly appointed agents;
- (8) To promote, create and stimulate awareness among the public for the preservation and appreciation of cultural heritage of Goa;
- (9) To continue to restore the said Fort so that it becomes a source of urban renewal and cultural revitalization;
- (10) To build capacity of the local communities in managing and taking care of their heritage;
- (11) To establish a sustainable model which is currently, socially and economically viable through partnerships and networking amongst institutions, communities and individuals;
- (12) To undertake the design, development and distribution of publication and multimedia heritage resource material for public education furthering the aforementioned objectives of the Society and to fix the appropriate charges for the same;
- (13) To appoint all necessary staff on temporary/contract basis for the management and maintenance for the said Fort and specify their duties and responsibilities;

This Notification shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

P. Mathew Samuel, Secretary (Archives & Archaeology).

Porvorim, 28th December, 2012.

Notification

1/11/2011/Part IV/CS-921

Sub.: Reis Magos Heritage Centre—Appointment of Member of the Governing Council and Managing Committee—Orders Issued.

- Ref.: 1. MOU dated 02-03-2007 made between the Government of Goa, Indian National Trust for Art and Cultural Heritage (INTACH) & Helen Hamlyn Trust (HHT).
2. Rules and Regulations of the Reis Magos Heritage Centre.

Whereas, the Government, INTACH and HHT have agreed to restore the Reis Magos Fort and put it into use as a Heritage and Cultural Centre, and;

Whereas, towards this purpose, a Registered Society, viz, Reis Magos Heritage Centre was registered vide No. 1166/Goa/2011 under Societies Registration Act, 1860.

Whereas, under Clause 9 and Clause 13 of the Rules and Regulations of the Society the Government of Goa hereby appoints the Governing Council and Managing Committee respectively as follows:

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|--|---|-------------------|
| 1. Mrs. Dipti Salgaonkar | — | Chairperson. |
| 2. Secretary (Archives & Archaeology) | — | Member. |
| 3. Director (Archives & Archaeology) | — | Member Secretary. |
| 4. Representative of INTACH | — | Member. |
| 5. Arch. Gerard D'Cunha | — | Member. |
| 6. Mr. Kedar Jaiprakash Naik | — | Member. |
| Nr. Saiprasad Traders, Betim, Bardez-Goa | | |
| 7. Jayesh Umesh Samant | — | Member. |
| Waddo, Guirim Bardez-Goa | | |
| 8. Pramod D. Parulekar | — | Member. |
| Saligao, Guirim, Bardez-Goa | | |

9. Menin D'Cruz — Member.
Mala-Fontainhas,
Panaji-Goa
10. Arch. Raya Shankhwalker — Member.
Architect, E-41, Mala
Fontainhas, Panaji-Goa
11. Mr. Eli Furtado — Member.
Consulting Civil Engineer
Bldg. No. 2 Flat G4,
Madhuban Hsg. Co-op.
Society, St. Inez,
Panaji-Goa
12. Ms. Shobita Punja — Member.
Representative of Helen
Hamlyn Trust
13. Mr. Sanjit Rodrigues, — Member.
M.D. GSIDC

Managing Committee:

1. Chairperson — Mrs. Dipti Salgaonkar.
2. Vice-Chairperson — Arch. Gerard D'Cunha.
3. Member Secretary — Director (Archives & Archaeology).
4. Treasurer — Menin D'Cruz.
5. Member — Mr. Sanjit Rodrigues,
M.D. GSIDC.

The term of office of the members of the Managing Committee shall be for a period of 3 years from the date of their appointment.

By order and in the name of the Governor of Goa.

P. Mathew Samuel, Secretary (Archives & Archaeology).

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Department of Finance

Directorate of Accounts

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Order

No. DA/Admn/45-9/13-14/TR-624/21

The Government is pleased to order the transfer and posting of the following Joint Director of Accounts under Common Accounts Cadre as shown below with immediate effect on administrative grounds:

Sr. No.	Name of the Joint Directorat of Accounts	Present place of posting	Transferred and posted at
1.	Shri Sadashiv Govekar	National Rural Health Mission, Directorate of Health Services, Campal, Panaji, Goa	Goa Handicraft, Rural and Small Scale Industries Development Corporation Panaji, Goa (on deputation).
2.	Shri Dilip K. Humraskar	Directorate of Accounts, Panaji, Goa (working arrangement basis to the Goa Housing Board, Porvorim, Goa).	National Rural Health Mission Directorate of Health Services, Campal, Panaji Goa. (on deputation).

The deputation term in respect of Shri Sadashiv Govekar, Joint Director of Accounts, stands curtailed from the date he is relieved from the NRHM, DHS, Campal, Panaji-Goa.

Deployment of above Joint Director of Accounts will be on deputation basis initially for a period of one year in the first instance and shall be regulated as per the standard terms of deputation contained in the Office Memorandum No. 13/4/74-PER dated 12-02-1999 and even No. dated 11-01-2007 issued by the Personnel Department, Government of Goa, as amended from time to time.

The Goa Handicrafts Rural and Small Scale Industries Development Corporation, Panaji Goa and National Rural Health Mission, Directorate of Health Services, Campal, Panaji, Goa shall be liable to pay to the Government leave salary and pension contribution in respect of above Officer, at the prescribed rates.

On expiry of the deputation period Shri Sadashiv Govekar & Shri Dilip K. Humraskar, Joint Director of Accounts shall stand relieved to report back to the parent Department, unless the deputation period is extended by the Competent Authority. In the event Officers overstay for any reason whatsoever, he/they will be liable for disciplinary action and other adverse Civil/Service consequences.

Wherever the transferees do not change their place of residence from old station to new, they will not be entitled for availing of joining time nor transfer TA as provided under CCS Rule.

On joining their new assignments, the officers shall send two copies of CTC/Joining Report to this Directorate immediately for records.

Officer at Sl. No. 2 should move first.

By order and in the name of the Governor of Goa.

Gurunath S. Potekar, Directorate & ex officio Joint Secretary (Accounts).

Panaji 5th, June, 2013.

Order

No. DA/Admn/14-58(Part)/2013-14/TR-638/22

Sanction of the Government is hereby accorded to engage the services of the below mentioned retired Officers of this Directorate for a period of four months with immediate effect:

- 1) Shri Norbert Moraes, Ex-Director of Accounts.
- 2) Shri P. S. Gude, Ex-Director of Accounts.
- 3) Shri Guruprasad Kunkolienkar, Ex-Jt. Director of Accounts.
- 4) Shri Vinayak B. Lotlikar, Ex-Jt. Director of Accounts.
- 5) Shri Victor D'Sa, Ex-Jt. Director of Accounts.
- 6) Shri Mohandas R. S. Nadkarni, Ex-Deputy Director of Accounts.

They shall be paid fixed remuneration of ` 25,000/- each per month in addition to full pension (including dearness relief) as admissible to them besides other remuneration in the event

they have been re-employed or are functioning as contract basis in any Government or Grant-in-Aid Institutions.

They shall work under control of Principal Secretary (Finance) with basic terms of reference as follows:

- a. Review of Receipt and Payment Rules.
- b. Compiling standard orders pertaining to several advances and creation of Compendium of Advances for Government employees.
- c. Review of GDFPR, 2008 vis-à-vis GFR, 2005.
- d. Review of works manuel, GIA code for Educational Institutions, Pattern of Assistance for various GIA institutions.
- e. Review of Treasury Rules/GAR to incorporate new modes of receipts/payments including new mode of purchase/tenders.
- f. Any other matters in this regard.

The expenditure on the above shall be debited to the Budget Head 2075-00-800-03-50-Other charges (Non Plan) under Demand No. 8.

This is issued with the approval of the Under Secretary Finance, with D.O. letter No. 1459676/F dated 14-05-2013.

By order and in the name of the Governor of Goa.

Gurunath S. Potekar, Directorate & ex officio Joint Secretary (Accounts).

Panaji 7th, June, 2013.

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Department of General Administration

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Notification

No. 2/2/2012-GAD-H

Read: Notification No. 2/2/2012-GAD-H dated 16-11-2012.

In partial modification of the above mentioned Notification, Government is pleased to declare Tuesday, 10th September, 2013 (19 Bhadra 1935) as "Bank Holiday" in the State of Goa on account of 2nd Day of Ganesh Chaturthi.

The holiday declared is under the Negotiable Instrument Act, 1881 (Act 26 of 1881).

A fresh list of Bank Holidays for the year 2013 is also enclosed herewith.

By order and in the name of the Governor of Goa.

Ajit S. Pawaskar, Under Secretary (GA).

Porvorim, 2nd January, 2013.

ANNEXURE-V

List of Bank Holidays for the Year 2013

Sr. No	Holidays	Date	Saka	Day of the week
1	2	3	4	5
1.	Republic Day	January, 26	Magha, 06	Saturday.
2.	Good Friday	March, 29	Chaitra, 08	Friday.
3.	Yearly Closing of Account	April, 01	Chaitra, 11	Monday.
4.	Gudi Padva	April, 11	Chaitra, 21	Thursday.
5.	Birth Anniversary of Dr. Babasaheb Ambedkar	April, 14	Chaitra, 24	Sunday.
6.	May Day	May, 01	Vaisakha, 11	Wednesday.
7.	Id-ul-Fitr*	August, 09	Sravana, 18	Friday.
8.	Independence Day	August, 15	Sravana, 24	Thursday.
9.	Ganesh Chaturthi 1st Day	September, 09	Bhadra, 18	Monday.
10.	Ganesh Chaturthi 2nd Day	September, 10	Bhadra, 19	Tuesday.
11.	Half Yearly Closing	September, 30	Asvina, 08	Monday.
12.	Gandhi Jayanti	October, 02	Asvina, 10	Wednesday.
13.	Dussehra (Vijaya Dashmi)	October, 13	Asvina, 21	Sunday.
14.	Id-ul-Zuha (Bakri-ID)*	October, 14	Asvina, 22	Monday.
15.	Diwali	November, 02	Kartika, 11	Saturday.
16.	Feast of St. Francis Xavier	December, 03	Agrahayana, 12	Tuesday.
17.	Goa Liberation Day	December, 19	Agrahayana, 28	Thursday.
18.	Christmas Day	December, 25,	Pausa, 04	Wednesday.

* The holiday mentioned at Sr. Nos. 7 & 14 is subject to appearance of moon.

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Department of Home

HomeóGeneral Division

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Order

No. 1/21/2012-HD(G)/1800

Read: 1. Government order No. 1/6/2008-HD(G) dated 15-02-2011.

2. Government order No. 1/21/2012-HD(G) dated 19-06-2012.

Government of Goa is pleased to extend the services of Shri B. S. Nabar, as Consultant/OSD, FSL, Verna on contract basis for a further period of one year w.e.f. 01-04-2013 to 31-03-2014 on the same terms and conditions.

The expenditure on the extension of services of Mr. B. S. Nabar as Consultant/OSD will be met from XIth Plan Project under Central Scheme.

This issues with the concurrence of Finance (Budget) Department vide their U.O. No. 1334/F dated 23-05-2013.

By order and in the name of the Governor of Goa.

Neetal P. Amonkar, Under Secretary (Home).

Porvorim, 4th June, 2013.

Notification

No. 27/20/2013-HD(G)/1829

In pursuance of the provisions of Section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Government of Goa is pleased to accord consent to the extension of powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Goa for the investigation of the crime registered

at Mormugao PS vide CR. No. 02/2013, u/s 447, 376, 201 IPC and Sec. 8(2) of the Goa Children Act, 2003 & Sec. 3(a) Punishable u/s 4 of Protection of Children from Sexual Offences Act, 2012 in connection with the incident of sexual assault of 7 yrs. old girl studying in Deepvihar Primary School, Headland Sada Vasco, in the toilet of the School premises by an unknown person during recess time on 14-01-2013 between 10.35 hrs. to 10.50 hrs. and any other offence/offences committed in the cause of the same transaction or arising out of the same facts.

By order and in the name of the Governor of Goa.

Neetal P. Amonkar, Under Secretary (Home).
Porvorim, 5th June, 2013.

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Department of Labour
Office of the Commissioner Labour and
Employment

Order

No. CLE/(RIA-05)/2008/2829

Read: Order No. CLE/(RTA-05)/2005/1510
dated 26-03-2008.

In partial modification of the above referred earlier order, the following officer is hereby appointed as Assistant Public Information Officer for the area of jurisdiction shown against the name to deal with the applications received from the public under Right to Information Act, 2005.

Sr. No.	Name of the officer & designation	Assistant Public Information Officer	Area of Operation
1	2	3	4
1.	Shri Nainesh Dessai, Labour Inspector, Margao-Goa	Assistant Public Information Officer	Salcete and Canacona Taluka.

F. Rodrigues, Commissioner, Labour and Employment.

Panaji, 31st May, 2013.

Order

No. CLE/(RIA-05)/2008/2924

Read: Order No. CLE/(RIA-05)/2008/3936
dated 06-10-2009.

Order No. CLE/(RIA-05)/2008/5149
dated 10-10-2008.

Order No. CLE/(RIA-05)/2008/7024
dated 29-10-2012.

In partial modification of the above orders, the Officer/Official mentioned below is appointed as Assistant Public Information Officer for the area of the jurisdiction as shown below to deal with the applications received from the public under the Right to Information Act, 2005.

Sr. No.	Name of the officer & designation	Assistant Public Information Officer	Area of Operation
1	2	3	4
1.	Shri Rupesh Kothambikar, Assistant Labour Commissioner (In his absence) Shri Rony Pereira Labour Inspector, Mapusa	Assistant Public Information Officer	Bardez, Bicholim Satari and Pernem Talukas.

F. Rodrigues, Commissioner, Labour and Employment.

Panaji, 6th June, 2013.

Order

No. CLE/(RIA-05)/2008/2925

Read: Order No. CLE/(RIA-05)/2008/3936
dated 06-10-2009.

In partial modification of the above orders, the Official mentioned below is appointed as Assistant Public Information Officer for the area of the jurisdiction as shown below to deal with the applications received from the public under the Right to Information Act, 2005.

Sr. No.	Name of the officer & designation	Assistant Public Information Officer	Area of Operation
1	2	3	4
1.	Shri Sachin Dessai Labour Inspector, Vasco-da-Gama (In his absence) Smt. Rakhi V. Amonkar Labour Inspector, Vasco-da-Gama	Assistant Public Information Officer	Mormugao Taluka.

F. Rodrigues, Commissioner, Labour and Employment.

Panaji, 6th June, 2013.

Order

No. CLE/(RIA-05)/2008/2926

Read: Order No. CLE/(RIA-05)/2008/4149 dated 04-08-2008.

Order No. CLE/(RIA-05)/2008/7026 dated 29-10-2012.

In partial modification of the above orders, the Officer/Official mentioned below is appointed as Assistant Public Information Officer for the area of the jurisdiction as shown below to deal with the applications received from the public under the Right to Information Act, 2005.

Sr. No.	Name of the officer & designation	Assistant Public Information Officer	Area of Operation
1	2	3	4
1.	Shri Satish Vaghonkar, Assistant Labour Commissioner (In his absence) Smt. Smita Priolkar, Labour Inspector, Ponda	Assistant Public Information Officer	Ponda Taluka.

F. Rodrigues, Commissioner, Labour and Employment.

Panaji, 6th June, 2013.

Order

No. CLE/(RIA-05)/2008/2964

Read: Order No. CLE/(RIA-05)/2008/5717 dated 08-09-2010.

Order No. CLE/(RIA-05)/2008/5748 dated 23-08-2012.

In partial modification of the above orders, the Officer mentioned below is appointed as Public Information Officer for the area of the jurisdiction as shown below to deal with the applications received from the public under the Right to Information Act, 2005.

Sr. No.	Name of the officer & designation	Public Information Officer	Area of Operation
1	2	3	4
1.	Smt. Pratima Naik, Deputy Labour Commissioner, Panaji (In her absence)	Public Information Officer	North Goa District.

Shri Prasad Pednekar
Asstt. Labour
Commissioner, Panaji

F. Rodrigues, Commissioner, Labour and Employment.

Panaji, 7th June, 2013.

Order

No. 28/23/2013-Lab/373

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Navhind Papers and Publication, Panaji, Goa and it's Workman Shri Ajit T. Gawandi, Proof Reader, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

"(1) Whether the action of the management of M/s. Navhind Papers and Publication, Panaji, Goa, in terminating the services of Shri Ajit T. Gawandi, Proof Reader, with effect from 12-09-2012, is legal and justified?

(2) If not, what relief the Workman is entitled to?"

By order and in the name of the Governor of Goa.

Meena Priolkar, Under Secretary (Labour).

Porvorim, 21st May, 2013.

Order

No. 28/12/2013-Lab/372

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Goa Costal Resorts and Recreation Private Limited (Casino Paradise), Neo Majestic, Porvorim, Goa, and it's Workman Shri Nitesh Redkar, Dealer Inspector, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

"(1) Whether the action of the management of M/s. Goa Costal Resorts and Recreation Private Limited (Casino Paradise), Neo Majestic, Porvorim, Goa, in refusing employment to it's Workman Shri Nitesh Redkar, Dealer Inspector, with effect from 03-05-2012 at the place of posting on the contention of transfer without any transfer order amounts to termination of services of said Workman with effect from 03-05-2012 and if so, whether it is legal and justified?

(2) If not, what relief the Workman is entitled to?"

By order and in the name of the Governor of Goa.

Meena Priolkar, Under Secretary (Labour).

Porvorim, 21st May, 2013.

Order

No. 28/24/2013-Lab/362

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of Manipal Hospital (Goa), Dona Paula and it's Workperson Dr. Leena M. John, Resident Medical Officer, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

"(1) Whether Dr. Leena M. John, Resident Medical Officer, can be construed as a "Workman" as per clause (s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947)?

(2) If the answer to the issue No. (1) above is in the affirmative, then, whether the action of the management of Manipal Hospital (Goa), Dona Paula, in terminating the services of Dr. Leena M. John, with effect from 23-12-2010, is legal and justified?

(3) If the answer to issue No. (2) above is in the negative, then, what relief the Workperson is entitled?"

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 15th May, 2013.

Order

No. 28/25/2013-Lab/374

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Petals Innovative Machines Private Limited, Verna, Goa, and it's Workman Shri Pandarinath Gaude, Helper, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

"(1) Whether the action of the management of M/s. Petals Innovative Machines Private Limited, Verna, Goa, in terminating the services of Shri Pandarinath Gaude, Helper, by it's letter dated 05-11-2012, is legal and justified?

- (2) If not, what relief the Workman is entitled to?"

By order and in the name of the Governor of Goa.

Meena Priolkar, Under Secretary (Labour).

Porvorim, 21st May, 2013.

Order

No. 28/17/2013-Lab/227

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the M/s. Kadamba Transport Corporation Limited, Alto Porvorim, Goa, and its Workman Shri Krishnanath Salgaonkar, Driver, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

- "(1) Whether the action of M/s. Kadamba Transport Corporation Limited, Alto Porvorim, Goa, in refusing employment to Shri Krishnanath Salgaonkar, Driver, with effect from 06-04-2010, is legal and justified?

- (2) If not, what relief the Workman is entitled to?"

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 3rd May, 2013.

Order

No. 28/19/2013-Lab/215

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Luis Azavedo, Curti, Ponda-Goa and its Workman Shri Sandesh S. Naik, Supervisor in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

- "(1) Whether the action of the management of M/s. Luis Azavedo, Curti, Ponda-Goa in retrenching Shri Sandesh S. Naik, Supervisor with effect from 02-08-2012, is legal and justified?

- (2) If not, what relief the Workman is entitled to?"

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 2nd May, 2013.

Order

No. 28/20/2013-Lab/216

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Riviera Farm, Collem, Dharbandora, Goa, and its Workmen represented by the Goa Mine Workers Union (CITU), in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

- "(1) Whether the action of the management of M/s. Riviera Farm, Tambdimol, Collem, Dharbandora, Goa, in refusing employment to the following Workers, with effect

from 01-07-2011 and non payment of their wages from June, 2009 onwards is legal and justified?

- 1) Shri Mollo D. Dohifode.
- 2) Smt. Mangal alias Laxmi G. Khedekar.
- 3) Smt. Lakhi W. Thate.
- 4) Smt. Suman B. Khandeparkar.
- 5) Smt. Halan Rapose.

(2) If not, what relief each of the Workman is entitled to?"

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 2nd May, 2013.

Order

No. 28/21/2013-Lab/217

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the M/s. Kadamba Transport Corporation Limited, Alto Porvorim, Goa, and their Workman Shri Umesh V. Naik, Conductor, represented by the Kadamba Transport Corporation Workers Union, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

"(1) Whether the action of M/s. Kadamba Transport Corporation Limited, Alto Porvorim, Goa, in withholding one annual increment of Shri Umesh V. Naik, Conductor, for the year 2004, cumulatively for two years, by way of punishment, vide their Order dated 09-08-2004, is legal and justified?

(2) If the answer to issue No. (1) above is in the negative, then, what relief the Workman is entitled?"

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 2nd May, 2013.

Order

No. 28/22/2013-Lab/226

Whereas the Government of Goa is of the opinion that an industrial dispute exists between M/s. Kadamba Transport Corporation Limited, Alto Porvorim, Goa, and it's Workman Shri Umesh G. Naik, Conductor, represented by the Kadamba Transport Corporation Workers Union, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

SCHEDULE

"(1) Whether the action of M/s. Kadamba Transport Corporation Limited, Alto Porvorim, Goa, in withholding one annual increment of Shri Umesh G. Naik, Conductor, for the year 2004, cumulatively for three years, by way of punishment, vide their Order dated 09-07-2004, is legal and justified?

(2) If not, then, what relief the Workman is entitled to?"

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 3rd May, 2013.

Notification

No. 28/1/2013-Lab/702

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 11-01-2013 in reference No. IT/35/07 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 22nd April, 2013.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT

GOVERNMENT OF GOA AT PANAJI

**(Before Smt. Bimba K. Thaly, Presiding
Officer)**

Ref. No. IT/35/07

Ms. Chatura A. Kochkar,
3rd Floor, Souza Sanctuary,
Taliwada, Mapusa, Goa. ... Workman/Party I
V/s

M/s. Phil Corporation Ltd.,
Thivim Industrial Estate,
Karaswada Mapusa, Goa. ... Employer/Party II
Party I/Workman represented by Shri Subhash
Naik Jeorge.

Party II/Employer represented by Adv. Shri P. J.
Kamat.

AWARD

(Passed on 11th January, 2013)

In exercise of powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (for short 'the Act') the Government of Goa by order dated 29-6-07 bearing No. 28/3/2007-LAB/649, has referred the following dispute for adjudication.

“(1) Whether, Ms. Chatura A. Kochkar, Junior Officer-Technical, could be construed as “Workman” as defined under clause (s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947)?

(2) If the answer to the issue No. (1) above is in the affirmative, then, whether the action of the management of M/s. Phil Corporation Ltd., Thivim Industrial Estate, Karaswada,

Mapusa, Goa, in terminating the services of Ms. Chatura A. Kochkar, with effect from 15-03-2006, is legal and justified?

(3) If the answer to issue No. (2) above is in negative, then, to what relief the Workman is entitled?”

2. Upon receipt of the reference, IT/35/07 was registered. Notices were issued to both the parties under registered A/D post upon which both the parties were served. Party I filed the statement of claim at Exb. 6. Party II filed the written statement at Exb. 7. Rejoinder was filed by Party I at Exb. 13.

3. In the statement of claim, it is the case of Party I that she was engaged as Junior Officer-Technical with Party II. That she was employed since 8-2-93. Initially she was on 6 months probation and was confirmed in December, 1993. That at the time of her termination she was working at Thivim factory of Party II in Quality Control Department and was assigned to work with technical support team at Thivim by Party II. That she performed following duties with Party II.

- a. She was receiving defective overhead projectors and after the same was prepared, the same was returned to the concerned party.
- b. She would follow up with the concerned party for collecting the repair charges payments and hand them over to the Accounts Department.
- c. Prior to her posting at Thivim factory, she was working in Bicholim factory. There she was working in Technical department. The duties performed by her in Technical department were to maintain the machines and repair the broken down machines alongwith the other team members.
- d. She would handle spares of machineries and supply the same to the other departments where repair work was carried out.
- e. She would inspect packaging material as well as film and paper product once the same were packed.
- f. When ISO was introduced she was assigned the work of documentation of quality manuals and system procedure manuals in co-ordination with MR.
- g. She would schedule and conduct internal quality audit in consultation with MR and manager, manufacturing point.

4. It is further the case of Party I that on 15-3-06 when she went to work, she was stopped at the security gate by the security person and thereafter Mr. N. G. Kamat, Deputy General Manager came to the gate and told her that her services have been terminated.

5. It is stated that no retrenchment compensation and leave wages were paid to her and also the management did not prepare a seniority list and follow the principle of "last come first go" before terminating her services thereby violating Section F and Section G of the Act. It is stated that Party I is a Workman as defined under the provisions of the Act and she would not have been terminated without complying with the mandatory provisions of the Act. The Party I has therefore prayed to hold that her termination was illegal and unjustified and to reinstate her in service with full back wages and continuity in service with costs. She has further prayed for grant of subsistence allowance of 50% wages pending adjudication, by way of interim relief.

6. In the written statement, the Party II has denied the case set up by Party I in the claim statement and has stated that the reference is not maintainable since Party I is not a Workman defined u/s 2(s) of the Act and also because the factory of Party II has been closed w.e.f. 5-5-06, which closure has been accepted by the Workman, staff and officers of the Party II and therefore no relief after the date of closure could be granted. It is further stated that as Party II was making losses, at the instance of the Board of Directors, it has been considered as a sick industrial company in terms of Sec. 3(1)(o) of the Sick Industrial Companies (Special Provisions) Act, 1985 (for short SICA). It is stated that when the reference is registered and the Board for Industrial and Financial Reconstruction has declared Party II as a sick industry, the provisions of Sec. 22 of SICA would be attracted. It is stated that the units of Party II at Thivim as well as Bicholim have been finally closed w.e.f. 5-5-06 and 4-5-06 respectively and the services of all the Workmen/supervisors/executives had been terminated on account of closure.

7. It is also the case of Party II that as Junior Officer Technical Party I was not a member of the Union as she was in supervisory cadre and being so she was also not governed by the Certified Standing Orders of the Party II. It is stated that since the date of appointment of Party I as Junior Officer her duties were to supervise the work of the Workmen working in the Technical

section and that her conditions of service, emoluments and benefits were all together different from the workers categories. It is stated that the work of the Technical section was to receive defective projectors for repairs, maintain the machines, repair of broken down machines, handle the spares of machines and supply the same to the other departments where actual repair was undertaken, inspection of packaging material, films, papers once they are packed, documentation of quality manuals, system procedure manuals, conduct internal quality audit etc. and all these jobs were performed by the Technicians, Clerks, employed in the technical section with the help of the helpers, peons under the supervision of Party I who was a junior officer-technical with Party II. It is stated that on 14-3-06 Party I was offered a letter dispensing with her services w.e.f. 15-3-06 alongwith the check towards notice wage in lieu of notice however Party I refused to accept the said notice and a copy of, this notice was displayed on the notice board and a copy to security with instructions that Party I's services were dispensed with and she should not be allowed to enter the factory from 15-3-06. It is stated that despite the said notice, Party I came to the factory on 15-3-06 but was not allowed by security to enter the factory. That Party I did not go out and when this fact was informed to Mr. N. G. Kamat, Dy. GM of Party II, he came to the gate and informed Party I that her services were no more required. It is stated that Party I was offered one month's wage in lieu of notice and as Party I is not a Workman, the question of paying leave wages, retrenchment compensation, preparation of seniority list and following of "last come, first go" before termination did not arise. It is stated that Party II being a non-Workman the provisions of Section 25F and 25G of the Act do not apply to the case of Party I. Thus, amongst above and other grounds Party II has prayed to reject the reference.

8. In the rejoinder Party I has denied the averments made by Party II in their written statement.

9. Based on the above averments, issues at Exb. 16 were framed on 30-9-08.

10. In the course of evidence, Party I examined herself as witness No. 1 and Shri Atchutanand Kalangutkar as witness No. 2 and closed her case. On the other hand, Party II examined Shri B. S. Sridhara as witness No. 1 and closed the case.

11. The representatives of both the parties filed written submissions as well as advanced oral arguments.

12. I have gone through the records of the case and have duly considered the submissions of both the learned representatives.

13. I am reproducing herewith the issues alongwith their findings and reasons thereof.

Sr. No.	Issues	Findings
1.	Whether the Workman/Party I proves that she is a "Workman" as defined u/s 2(s) of the Industrial Disputes Act, 1947?	In the negative.
2.	Whether the Workman/Party I proves that the action of Party II/Employer in terminating her services w.e.f. 15-3-06 is illegal and unjustified?	In the negative.
3.	Whether the Employer/Party II proves that the present order of reference is bad in law as stated in para 2(b) of their written statement?	In the positive.
4.	Whether the Party I is entitled to any relief?	In the negative.
7.	What Award?	As per order below.

REASONS

14. *Issue No. 1:* Both these issues are answered together for the sake of convenience as they are interconnected.

15. It otherwise cannot be disputed that the burden to prove that she is a 'Workman' within the meaning of Section 2(s) of the Act is on the Party I. In the above context, Learned Advocate for Party II has rightly relied on the judgment in the case of **S. T. Galande v/s P. O. Hind Labour Court, Pune 2008 (1) CLR 656** in which the Hon'ble High Court of Bombay has observed as under:

".....It is settled principle of law that the onus lies upon the Workman to prove that he satisfies the essential ingredients of being a Workman and therefore, could raise an industrial dispute....."

16. Lnd. Advocate for Party II has also relied upon the judgment in the case of **H. R. Adyanthaya and others v/s Sandoz (India) Ltd., 1994 II CLR 552** in which the constitutional bench of the Hon'ble Supreme Court has held as under;

"a person to be a Workman under the said act must be employed to do the work of

any category, viz. manual, unskilled, skilled, operational, clerical, supervisory (drawing less than ` 1,600/- p.m.) or technical. It is not enough that he is not covered by either by the four exceptions to the definition."

17. Thus, from the above settled proposition of law it becomes clear that the person claiming to be a "Workman" must come within the ambit of Section 2(s) of the Act. It is also clear that irrespective of the designation, it is the actual work done by the employee, which is determinative of whether he falls within the scope of the definition of "Workman" under Section 2(s) of the Act and the burden to establish the same lies on the Workman.

18. It may be mentioned here that the outcome of issue No. 2 would depend on the outcome of issue No. 1 and this is because if Party I succeeds in proving issue No. 1 it is only then the decision on issue No. 2 would be material or else Party No. 1 would fail in proving issue No. 2.

19. Party I has in para 3 of her affidavit in evidence specified the duties performed by her which were repairing of defective overhead projector and follow up with clients for collection of repairing charges. It is also stated in para 3 of her affidavit that prior to posting at Thivim factory, she was working at Bicholim in Technical department where she used to maintain and repair machines along with other team members and she was also assigned work of ISO i.e. documentation of quality manual and system manual in co-ordination with Mr. T. K. Bhai at Bicholim/ Mr. A. S. Kasture at Thivim. In her cross-examination her above statements are denied by Party II by suggesting that she was supervising the repairing of defective overhead projectors at Thivim and Bicholim unit of Party II. It is also suggested to Party I that the Jr. Tester, Asstt. Inspector, Asstt. Tester, Asstt. Inspector II, Inspectors, peons and clerks working in the quality control section were subordinate to her and she was supervising her work. It may be mentioned here that except for making the bare statements on the subject of the duties performed by her, Party I has not produced any documentary or other evidence to substantiate her said stand.

20. No doubt, Party I has examined Atchutanand Kalangutkar who has supported the statements made by Party I by stating that Party I was working in technical department and the duties performed by her were to maintain and repair machine; that she was handling spare of machinery and supply the same to other

department where repair work was carried out and that she was also assigned the work of documentation of quality manuals and system procedure manuals in co-ordination with MR when ISO system was introduced but perusal of evidence of this witness and more particularly his cross-examination makes it clear that he was working at Thivim unit of Party II till 28-10-02 and therefore it is clear that he never worked at Thivim unit of Party II.

21. There is otherwise no dispute that Party No. 1 was initially appointed as an Engineer w.e.f. 2-8-1993 vide letter dated 26-8-93 produced by Party I at Exb. W-1; that she was confirmed in the employment of the company w.e.f. 1-12-93 as Junior Officer-Technical vide letter dated 2-12-93 which she has produced at Exb. W-2 and vide letter dated 14-8-01 there was made revision in her scale which was for management cadre and this letter is produced by Party I at Exb. W-3. Evidence of Party I also reveals that prior to revision of her salary scale, she was promoted as Officer by Party II, vide letter dated 23-6-99 the copy of which letter is brought on record through the cross-examination of Party I vide Exb. E-I.

22. Be that as it may, the letter of appointment given to Party I by Party II at Exb. W-1 does not speak about the duties allotted to Party I and even Exb. W-2 and Exb. E-1 does not speak about the duties allotted to Party I.

23. Learned Representative of Party I, Shri Subhash Naik George has contended that the relevant documentary evidence relating to the duties performed by Party I is in possession of Party II and therefore it was for Party II to have produced the same. I find no force in the above submission of Learned Representative Shri Subhash Naik George for the reasons that undoubtedly, the burden to prove that she is a Workman is on Party I and that too by adducing positive evidence and in case Party I was not in possession of the required documents towards its proof, it was for her to make application requesting the Court to direct Party II to produce those relevant documents or to notify Party II to produce these documents, which Party I has failed to do. Thus, it is apparent that no attempt has been made by Party I to establish the nature of duties performed by her as a "Workman", by adducing cogent and convincing evidence. In the above context, I would rely on the judgment in the case of **U.P. State Electricity Board and another v/s Aziz Ahmad 2009 I CLR 690** the Workman in which case had claimed 'equal pay

for equal work' on the basis of the contention that his post as 'Boiler overhauling Mechanic' is equivalent to the post of 'Boiler mistry'. This contention was accepted by the Tribunal and the Writ Petition filed by the employer was dismissed. However, the Apex Court held that the burden to prove that both the posts are equal was on the Workman. Apex Court observed as under:

"..... The aforesaid findings are incorrect and cannot be upheld. The burden prove that a particular fact is always on the person who alleges the same. In the present case it was the contention of the respondent-Workman, who claimed that the job requirements, nature and responsibilities of the post of Boiler Mistry/Fitter are identical and similar with that of the Boiler Overhauling Mechanic. The burden, therefore, was on the Workman to prove and establish the aforesaid facts by leading cogent and reliable evidence. He was required to place documentary evidence in support of the same."

24. Perusal of evidence of Party I and more particularly her cross-examination reveals that she was not a member of Phil Corporation Employees' Union at any point of time. She has also admitted that she was not the member of employees Union since she was falling in the officers category. She has also stated that she was not covered by the provisions of the Certified Standing Orders of Party II, being a Junior Officer of Party II. Further she has stated that she has not at any point of time demanded with Party II the benefits which were granted to the Workmen under the memorandum of settlement after it was signed by the parties. She has also stated that as an officer she was not entitled to DA, VDA, Canteen Allowance, Special/Additional Allowance, Accident Leave, Attendance Bonus and Shift Allowance.

25. The above statements of Party I make it clear beyond doubt that since the time of her appointment, she was not falling in the category of Workman as otherwise she would definitely raise an issue on the subject of benefits and other allowances granted to Workman. No doubt, while deciding whether a person is a "Workman" u/s 2(s) of the Act, the Court has to examine the dominant nature of work or duties assigned to the employee, but as pointed out above, Party I herein has failed to bring on record the convincing evidence to indicate the nature of duties performed by her and on the contrary her statements reproduced in para 24 above give a clear indication

that Party I has failed to prove that she is covered under the definition of "Workman" u/s 2(s) of the Act.

26. As regards the contention of Party I that at the time of termination no one month's notice was given to her, Shri B. S. Sridhara has stated that Party I was offered a letter of discharge dated 10-3-06 alongwith one month's notice wage in lieu of notice and ex-gratia compensation on 10-3-06 but Party I refused to accept the said letter which was sent to her on her address recorded with Party II. It is pertinent to note that Party I has stated that she had given her residential address as Vasant Nagar, Sanquelim, Goa at the time of her appointment but according to her the said address was changed after her manage in the month of December, 2000 and that she had informed change in her address to the Personnel Department of Party II unit at Bicholim where she was working at the relevant time. She has denied the suggestion that her above statement was false. Shri B. S. Sridhara has produced the copy of the letter of discharge dated 10-3-06 alongwith the copy of envelope addressed to Party I, which is returned by Postal Authority at Exb. E-11 colly. The address mentioned on this envelope is Vasant Nagar, Sanquelim, Goa. Party I has not produced the convincing evidence to indicate that she had informed about the change in her address to the personnel department of the Party II unit at Bicholim. That apart, Party I has also admitted that Party II vide its letter dated 27-3-06 had informed her about dispensation of her services by paying an amount of one month's pay in lieu of notice. Being so, I have every reason to hold that Party I had offered a letter at Exb. E-11 colly alongwith one month's wage in lieu of notice and ex-gratia compensation to Party I.

27. Be that as it may, if one believes the case of Party I that even after her confirmation as Junior Officer-Technical and promotion as Officer, she was doing the work in the category of Workman then, as rightly submitted by Learned Advocate for Party II, there was no reason for Party II to promote Party I from Engineer to Junior Officer-Technical and Officer. Even for that matter, as pointed by me above the letter dated 14-8-01 at Exb. W-3 whereby Party I was given revision in basic salary, clearly states that the wage structure of Party I was revised in "management cadre". Party I at no time has disputed that she was not in management cadre and therefore all the aspects discussed above go to establish that as a Junior Officer-Technical and Officer, Party I was in supervisory management cadre i.e. non-Workmen

and was enjoying all the benefits applicable to the management cadre. It is held in the judgment in the case of **A. B. Manore v/s Wandleside National Conductors Ltd., and others 1994 II CLR 793** on the basis of evidence on record that a senior supervisor in Senior Supervisory Management Staff Cadre is not a Workmen.

28. Thus, from the above discussion it is clear that Party I has failed to prove issue No. 1 and consequently it follows that the action of Party II in terminating the services of Party I w.e.f. 15-3-06 is legal and justified. Hence my findings.

29. *Issue No. 3:* In para 2(b) of the written statement it is the contention of Party II that the present reference is not maintainable as the factory of Party II is closed w.e.f. 5-05-06 which closure has been accepted by the Workmen, staff and other officer of Party II and as such no relief after the date of closure can be granted. Shri B. S. Sridhara has produced copy of notice dated 3-5-06 of suspension of operation of Bicholim unit w.e.f. 04-05-2006 at Exb. E-4, copy of notice dated 04-05-2006 of suspension of operation of Thivim unit at Exb. E-5 and copy of letter dated 11-07-08 addressed to Chief Inspector, Factories and Boilers pertaining to the surrender of factory license of Valpoi unit at Exb. E-8. It is clear from Exb. E-4 and Exb. E-5 that the activities of Party II at Bicholim unit and Thivim unit were suspended in month of May, 2006. The above documents produced by Shri B. S. Sridhara are not denied by Party I. Party I has also not denied the fact of closure of the unit of the Party II, in the cross-examination of Shri B. S. Sridhara and on the contrary has admitted that Party II had reduced production of cameras and projectors since the month of January, 2006. Thus, it is clear from the above discussion that units of Party II have been closed in May, 2006 and hence no relief could be granted to Party I. Hence, this issue is answered in the positive.

30. In his arguments Learned Representative of Party I submitted that the written statement at Exb. 7 is not signed by Party II and that the person who claimed to have authority, to sign the said written statement has no such authority and is not authorized to sign the same. Thus, he prayed to reject the written statement. He also invited my attention to the order dated 3-5-10 (Exb. 37) wherein the above objection raised by him vide application at Exb. 30, was decided by Learned Presiding Officer, Labour Court II, by holding that Party II is a company incorporated under the provisions of the Companies Act, 1956 and

hence represented by his Managing Director and therefore there is nothing wrong in authorizing any person to sign the pleadings on behalf of the employer company as it is a body corporate unlike a person. It is also stated in this order that Party I has not challenged the aforesaid act of signing the written statement by the so called authorized signatory, in the subsequent proceedings till he raised the said objections and that it is for Party II to prove independently that the pleadings filed by the persons are authorized by them, failing which Party II shall fail in discharging the burden. By referring to the above order Learned Representative of Party I submitted that no authorization as required above has been produced on record by Party II in the course of evidence and therefore the written statement filed by Party II deserves to be rejected.

31. It may be mentioned here that provisions of Section 25F and 25G of the Act would come into play only in case of the retrenchment of the Workman and not otherwise. The compensation to be given to the Workman in case of closing down of undertakings is as per Section 25FFF of the Act. The use of the expression 'as if' in Section 25FFF (1) of the Act shows almost conclusively that the meaning of "retrenchment" is restrictive and does not in terms apply to the case of a bonafide closure of business, as the legislature has not sought to place the closure of an undertaking on the same footing as retrenchment under Section 25F of the Act. This being the position of law and having accepted the closure by Party I, the question of compliance of Section 25F and 25G of the Act, by Party II, does not arise.

32. However, Learned Advocate for Party II made it clear that the above fact is not pleaded by Party I in his rejoinder or even by amending the claim statement and therefore no issue on the said subject has been framed and thus the Court cannot look into the said matter.

33. Apart from Party I not pleading the said fact in his pleadings/rejoinder, admittedly along with the reply (Exb. 31) filed to (Exb. 30) Party II has filed the copy of power of attorney given by them to Shri B. S. Sridhara and this document makes it clear that power has been given to B. S. Sridhara to verify the written statement as well as other documents mentioned in clause 2 of the said power of attorney. Learned Representative of Party I otherwise did not dispute that such power of attorney has been filed by Party II alongwith their reply (Exb. 31) and therefore to my mind, merely because such power of attorney is not

exhibited on record through the management witness, one cannot jump to the conclusion that Shri B. S. Sridhara was not authorized to verify the written statement and taking such view at this stage would be too hypertechnical. Thus, I find no force in the above contention of Learned Representative of Party I that the written statement deserves to be rejected due to aforesaid reason.

34. *Issue No. 4:* In view of findings on issue No. 1, Party I is not entitled to any relief.

35. In the result, I pass the following.

ORDER

1. It is hereby held that Ms. Chatura A. Kochkar, Junior Officer-Technical, could not be construed as "Workman" as defined under clause (s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).
2. It is hereby further held that the action of management of Ms. Phil Corporation Limited, Thivim Industrial Estate, Karaswada, Mapusa, Bardez, Goa, in terminating the services of Ms. Chatura A. Kochkar, with effect from 15-03-2006 is legal and justified.
3. Party I Ms. Chatura A. Kochkar is therefore not entitled to any relief.
4. No order as to costs.

Inform the Government accordingly.

Sd/-
(B. K. Thaly),
Presiding Officer,
Industrial Tribunal-
cum-Labour Court.

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Inspectorate of Factories and Boilers

Addendum

No. 1/84/ADM-IFB/2012/3064

Read Order No. 1/84/ADM-IFB/2012/2119 dated 05-11-2012, after Sr. No. 6 shall be added "By order and in the name of the Governor of Goa".

By order and in the name of the Governor of Goa.

S. M. Paranjape, Chief Inspector & ex officio Jt. Secretary (Factories & Boilers).

Panaji, 24th December, 2012.

Addendum

No. 1/83/ADM-IFB/2012/3065

Read Order No. 1/83/ADM-IFB/2012/2164 dated 01-11-2012, after Sr. No. 6 shall be added "By order and in the name of the Governor of Goa".

By order and in the name of the Governor of Goa.

S. M. Paranjape, Chief Inspector & ex officio Jt. Secretary (Factories & Boilers).

Panaji, 24th December, 2012.

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Department of Law and Judiciary

Law (Establishment) Division

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Order

No.11/6/2013-LD(Estt.)/880

The Hon'ble High Court Bombay at Panaji in Public Interest Litigation Writ Petition No. 2/2005 Shri Datta Naik Versus State of Goa through Chief Secretary and others has passed the following Order in the said case wherein it was brought to the notice of Bombay High Court that criminal cases for prosecution of serious offences were pending against the politician, wherein one of the former Minister an accused person had appointed Special Public Prosecutor which made a mockery of entire criminal Justic system. Therefore the author of the letter raised serious apprehension about the impartiality in the prosecution.

The Bombay High Court took serious note on the said PIL and had appointed the present Advocate General of the State as an Amicus-Curiae and suggestion were sought from the professional expert. One of the suggestion made by the Amicus-Curiae is that the appointment of Public Prosecutors in the Lower Courts and District Courts will be made by the appointing authority on the basis of the recommendations of the Committee consisting of the Director of Prosecution, Law Secretary, Learned Principal District & Sessions Judge of the concerned District and the concerned District Magistrate.

Therefore, the Government of Goa after considering the same is hereby pleased to Constitute a Committee for appointment of Public Prosecutors in the Lower Courts and District Courts 0020 as per Hon'ble High Court Order No. J/D/437/2013 dated 04-04-2013.

The Committee shall consists of the following:

- | | |
|---|-----------------------|
| 1. Law Secretary | ... Chairman. |
| 2. Ld. Principal District & Sessions Judge, North | ... Member. |
| 3. Ld. Principal District & Sessions Judge, South | ... Member. |
| 4. District Magistrate, North | ... Member. |
| 5. District Magistrate, South | ... Member. |
| 6. Director of Prosecution | ... Member Secretary. |

Henceforth, the appointment will be made only from out of the candidates recommended by the above Committee and the executive Government will have no role in such appointment, except for the purpose of examining the antecedents of the candidates for which it may make inquires through the Police or intelligence machinery of the State, but in no case, the executive Government will appoint any person as the Public Prosecutor whose name is not recommended by the Committee. The State Government may however consult the Ld. Advocate General of the State if it is so desire before taking a decision in the matter.

It is further enjoined that appointment in the High Court of Public Prosecutors shall be made in consultation with the High Court; and the State Government may consult Learned Advocate General for the State. However, it is enjoined on the State Government, not to appoint any person as Public Prosecutor who is close to Politicians or engages in any activities of Politics or Politicians, or who has in the past been found guilty of having committed any lapses as Public Prosecutor or in cases where the State Government has issued Circular debarring persons from being appointed as Public Prosecutor.

By order and in the name of the Governor of Goa.

Pramod V. Kamat, Secretary Law (Estt.).

Porvorim, 20th May, 2013.

Notification

File No. 8-32-2012-LD (Estt)/913

Whereas Sociedae De Fomento Industrial Private Limited, Margao, a company incorporated under the Companies Act, 1956 (Central Act 1 of 1956) represented by it's Senior Manager, Porjects, Shri Vyankatesh V. N. Gaunekar (hereinafter referred to as the "applicant") vide an application dated 14-06-2012, has requested to refund the excess amount of ` 6,08,500/- (Rupees six lakhs eight thousand five hundred only) paid by the

applicant while registering the Deed of Sale under Sr. No. 568/12 on 12-06-2012 by the applicant (hereinafter referred to as the “said Deed of Sale”), before the Civil Registrar-cum-Sub-Registrar, Quepem-Goa, since the registration fee chargeable on said Deed of Sale was ` 50,00,000/- but the applicant paid ` 56,08,500/-, thus said amount of ` 6,08,500/- was paid in excess;

And whereas the said application of the applicant has been examined vis-à-vis the Notification No. 8-6-2012-LD(Estt)(A)/456 dated 31-03-2012, published in the Official Gazette, Extraordinary No. 3 Series I No. 52, dated 01-04-2012, and it is seen that as per the “Note” appearing in the said Notification, the registration fee specified therein shall, however, be subject to a maximum of ` 50 lakhs and that the correct registration fees chargeable on the said deed of Sale was ` 50,00,000/- but the applicant had paid ` 56,08,500/- as registration fees on the said Deed of Sale, thus an amount of ` 6,08,500/- was paid in excess;

And whereas the Government of Goa has decided to remit the excess registration fee of ` 6,08,500/- paid by the applicant towards registration of said Deed of Sale and refund the said amount of ` 6,08,500/- (Rupees six lakhs eight thousand five hundred only), received from the applicant while registering the said Deed of Sale.

Now, therefore, in exercise of the powers conferred by Section 78A of the Registration Act, 1908 (Central Act 16 of 1908), and all other powers vested in it on this behalf, the Government of Goa hereby remits the said registration fees of ` 6,08,500/- (Rupees six lakhs eight thousand five hundred only) paid by the applicant while registering the said Deed of Sale and refunds the said amount of ` 6,08,500/- (Rupees six lakhs eight thousand five hundred only) to the applicant accordingly.

By order and in the name of the Governor of Goa.

R. K. Halankar, Under Secretary (Estt).

Porvorim, 29th May, 2013.

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Department of Personnel

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Order

File No. 6/5/2011-PER

Shri Arvind V. Bugde, Director of Tribal Welfare, shall hold charge of the post of Chief Executive

Officer, Entertainment Society of Goa, in addition to his own duties, thereby relieving Shri Prasad V. Lolayekar, Director of Art & Culture of the additional charge, with immediate effect and until further orders.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Additional Secretary (Personnel).

Porvorim, 27th May, 2013.

Order

File No. 7/1/2010-PER(Part)

On the recommendation of the Goa Public Service Commission as conveyed vide its letter No. COM/II/12/13(1)/2013/82 dated 20-05-2013, the Governor of Goa is pleased to declare Captain James Braganza, Captain of Ports, to have satisfactorily completed his probation period in the post of Captain of Ports, in Captain of Ports Department, with effect from 01-12-2010.

By order and in the name of the Governor of Goa.

Siddhi Halarnakar, Under Secretary (Personnel-II).

Porvorim, 31st May, 2013.

Order

File No. 6/13/2009-PER

Read: Order No. 7/2/99-PER(PF-IV) dated 24-05-2013.

Consequent upon the posting of Shri Z. U. Siddique, IAS against the post of Secretary, Goa Human Rights Commission, vide Order dated 24-05-2013, read in preamble, Shri M. B. Kumthekar, Selection Grade Officer of Goa Civil Service is transferred and posted as Secretary, State Police Complaint Authority, with effect from 24-05-2013.

Shri M. B. Kumthekar shall draw his salary against the post of Director, Settlement & Land Records w.e.f. 24-05-2013.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 31st May, 2013.

Order

File No. 2/7/76-PER(Vol.III)Part

In partial modification of order of even number dated 06-10-2000, the following Departmental Selection Committee/Departmental Promotion Committee for Group 'C' post in the Directorate of Education is constituted as shown below:

- | | |
|---|---------------|
| 1. Additional Director of Education | ... Chairman. |
| 2. Chairman, GEDC | ... Member. |
| 3. Director (Administration) Education Department or Assistant Director of Education (Administration) | ... Member. |

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 3rd June, 2013.

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Department of Public Health**Notification**

No. 13-52-89-IV/PHD(Part-II)

In exercise of the powers conferred by sub-clause (i) of clause (f) of regulation 2 of the Dental Council (Elections) Regulations, 1952 (hereinafter called the 'said Regulations') the Government of Goa hereby appoints Dr. V. N. Jindal, Dean, Goa Medical College, Bambolim-Goa as the Returning Officer in relation to elections under Chapter II of the said Regulations.

By order and in the name of the Governor of Goa.

D. G. Sardesai, Additional Secretary (Health).
Porvorim, 20th May, 2013.

Order

No. 22/6/98-I/PHD/PF-I

Government is pleased to promote Dr. Bansidar Govind Talkar, Medical Officer to the post of Health Officer (Group "A" Gazetted) under Directorate of Health Services on ad hoc basis in the pay scale of PB—3, ` 15,600-39,100+ Grade Pay ` 5,400/- for an initial period of one year or till the post is filled on regular basis, whichever is earlier.

The above ad hoc appointment shall not bestow on him any claim for regular appointment nor the service rendered on ad hoc basis in the grade shall count for the purpose of seniority in that grade for eligibility for promotion to the next higher grade.

The posting Order would be issued separately.
By order and in the name of the Governor of Goa.

D. G. Sardesai, Addl. Secretary (Health).
Porvorim, 31st May, 2013.

Order

No. 38/138/2012-I/PHD

Government is pleased to recognize "R. G. Stone Hospital, Porvorim-Goa" for the purpose of Mediclaim under Mediclaim scheme and for Medical Reimbursement of Government employees, Freedom Fighters, MLAs under the Central Service (MA) Rules, 1944 for "Haemodialysis in the Renal failure cases" restricting the amount to ` 13,000/- per month. The above Hospital should not charge any extra amount in any manner to the patient.

This issues with the concurrence of Finance (Exp.) Department vide their U.O. No. Fin(Exp.)/1473479 dated 30-05-2013.

By order and in the name of the Governor of Goa.

D. G. Sardesai, Addl. Secretary (Health).
Porvorim, 5th June, 2013.

Order

No. 4/14/2003-II/PHD/Vol. I

On the recommendation of Goa Public Service Commission conveyed vide their letter No. COM/II/12/30(3)/2013/79 dated 16-05-2013, the Government is pleased to declare the following Officers to have satisfactorily completed their probation period in the grade of Associate Professor in the Department of Physiology in Goa Medical College, as under:

Sr. No.	Name of Officer	Date of probation period completed	Post to which probation period completed
1	2	3	4
1.	Dr. J. R. Pednekar	19-07-2007 to 18-07-2009	Associate Professor.

1	2	3	4
2.	Dr. Sandeep Sardessai	04-02-2008 to 03-02-2010	Associate Professor.

By order and in the name of the Governor of Goa.

Sneha S. Morajkar, Under Secretary (Health).

Porvorim, 5th June, 2013.

Order

No. 4/14/2003-II/PHD/Vol. I

On the recommendation of Goa Public Service Commission conveyed vide their letter No. COM/II/12/30(4)/2013/75 dated 15-05-2013, Government is pleased to declare Dr. Sumedha Audi, Assistant Professor, Department of Physiology, Goa Medical College to have satisfactorily completed her probation period of two years w.e.f. 19-07-2007 to 18-07-2009 and to confirm her in the post of Assistant Professor in the Department of Physiology in Goa Medical College, Bambolim, with immediate effect.

By order and in the name of the Governor of Goa.

Sneha S. Morajkar, Under Secretary (Health).

Porvorim, 5th June, 2013.

Order

No. 4/10/2002-II/PHD/Vol.I

Government is pleased to promote Dr. Rohit R. Chodankar, Lecturer in Orthopaedics to the post of Assistant Professor in Orthopaedics on ad hoc basis in Goa Medical College, Bambolim in the pay scale of Pay Band—3 ` 15,600-39,100 with Grade Pay of ` 6,600/- and other allowances admissible as per rule with immediate effect.

The ad hoc appointment is initially for a period of one year or till the post is filled on regular basis, whichever is earlier.

The above ad hoc appointment shall not bestow on him any claim for regular appointment or the service rendered by him on ad hoc basis in the grade shall not be counted for the purpose of seniority in the grade or for eligibility for promotion to the next higher grade, if any.

The ad hoc promotion is made against the vacancy occurred due to the promotion of Dr.

Sambprasad Nadkarni to the post of Associate Professor in Orthopaedics in Goa Medical College and Hospital vide Order No. 4/10/2002-II/PHD/Vol. I dated 26-02-2010 and subsequently revived vide Order No. 4/12/2005-II/PHD dated 17-05-2013.

By order and in the name of the Governor of Goa.

D. G. Sardesai, Additional Secretary (Health).

Porvorim, 4th June, 2013.

Notification

No. PS(H)/2/NC/2012

In exercise of the powers conferred by Section 3 of the Goa Nursing Council Act, 2012 (Goa Act 23 of 2012) the Government of Goa hereby constitutes the Goa Nursing Council constituting of the following members pending finalization of the Goa Nursing Council Rules, 2013, within two months from the date of publication of the Notification in the Official Gazette and election to be held thereafter for the elected members at Sr. No. (III) below to be completed by 31-03-2014.

I) Ex-officio Members:

- (i) The Director of Health Services.
- (ii) The Dean, Goa Medical College, Bambolim.

II) Nominated Members:

- (i) Nilima Rane, Ward Sister, Goa Medical College Bambolim.
- (ii) Suhasini Kolambkar, Matron, MPT Hospital, Vasco.
- (iii) Jaiprada Kanekar, Ward Sister, North Goa District Hospital, Mapusa.
- (iv) Lydia Rodrigues, Ward Sister, Hospicio Hospital, Margao.
- (v) Savita Naik, Public Health Nurse, Primary Health Centre, Corlim.
- (vi) Pushpa Ramdas, Auxiliary Nurse-Midwife, Family Welfare Centre, North Goa District Hospital, Mapusa-Goa.
- (vii) Shashilata Yadav, Lecturer, INE, Bambolim-Goa.

III) Elected Members:

- (i) Carol Noronha, Principal, INE, Bambolim.
- (ii) Maria Castro, Lecturer, INE, Bambolim.
- (iii) Vithal Parker, Sister Tutor, INE, Bambolim.

(iv) Rubina Fernandes, Staff Nurse, Institute of Psychiatry and Human Behaviour.

(v) Maya Prabhudessai, Staff Nurse, Primary Helath Centre, Pernem.

By order and in the name of the Governor of Goa.

D. G. Sardessai, Addl. Secretary (Health).

Porvorim, 5th June, 2013.

Order

No. 2/3/2012-II/PHD

Government is pleased to accept the technical resignation tendered by Dr. Merlyn Savia Fernandes, Lecturer, Department of Anaesthesiology, Goa Medical College vide letter dated 23-05-2013 and she is hereby relieved from the said post w.e.f. 04-07-2013 (B.N.) in order to enable her to join her new posting as junior Anaesthetist at E.S.I. Hospital, Margao.

By order and in the name of the Governor of Goa.

Sd/- (Sneha S. Morajkar), Under Secretary (Health).

Porvorim, 7th June, 2013.

Certificate

No. 47/60/2011-I/PHD

Read: Government Order No. 47/60/2011-I/PHD dated 06-07-2012.

Certified that the character and antecedents of Smt. Prashanta Manoj Naik, Dietician (Group "B" Non-Gazetted) under the Directorate of Health Services has been verified by the District Magistrate, South Goa District, Margao-Goa and nothing adverse has come to the notice of the Government.

She has also been declared as medically fit by the Medical Board, Goa Medical College Bambolim.

Maria Seomara Desouza, Under Secretary (Health-II).

Porvorim, 10th June, 2013.

Department of Revenue

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Order

No. 22/19/82-RD(Part)

Whereas, the Government of Goa, vide Notification No. 22/19/82-RD dated 18-02-1982, issued under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) (hereinafter referred to as the "said Act"), and published in the Extraordinary Official Gazette, Series II No. 47 dated 19-02-1982, notified that the land specified in the Schedule thereof (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Acquisition of Land at Miramar for Parks, recreational and other development of the area (hereinafter referred to as the "said public purpose");

And whereas, the Government of Goa, considered the report made by the Collector under sub-section (2) of Section 5A of the said Act and on being satisfied that the said land is needed for the said public purpose, vide Notification No. 22/19/82-RD dated 18-02-1985, issued under Section 6 of the said Act, and published in the Extraordinary Official Gazette, Series II No. 46 dated 18-02-1985, declared that the said land is required for the said public purpose.

And whereas, in exercise of the powers conferred by Section 7 of the Land Acquisition Act, 1894 (Act 1 of 1894), the Government of Goa appointed the Additional Deputy Collector (HQ-1), Collectorate of Goa under clause (c) of Section 3 of the said Act to perform the functions of a Collector thereby directing to take the order for acquisition of the said land.

And whereas, the land acquisition was finalised vide two separate Awards i.e. Award Part-I bearing No. 1/Town & CPD/ADC-1/19/82 dated 17-02-1987 and Award Part-II bearing No. 1/Town & CPD/ADC-1/19/82 dated 23-02-1987 by Shri M. N. Bhartiya, the then Additional Deputy Collector (HQ-1) & Land Acquisition Officer, Panaji.

Now, the Office of Collector, North Goa District, Panaji-Goa, has moved a proposal for appointing the Deputy Collector (Rev.), Collectorate of North, Panaji-Goa, under clause (c) of Section 3 of the Land Acquisition Act, 1894, to perform the functions of a Collector, North Goa District, Panaji-Goa, for determining the applications filed under 28-A of the said Act in Acquisition of Land at

Miramar for Parks, recreational and other development of the area, since the posts of Additional Deputy Collector (HQ-1), Collectorate of Goa and Deputy Collector (DEV.) & Land Acquisition Officer, Panaji, are non-existence and therefore, a new officer to be notified for determining the applications received under Section 28-A of the said Act.

Now, therefore, the Government of Goa hereby approves the proposal submitted by the Office of Collector, North Goa District, Panaji-Goa, to appoint the Deputy Collector (Rev.), Collectorate of North, Panaji-Goa under clause (c) of Section 3 of the Land Acquisition Act, 1894, to perform the functions of a Collector, North Goa District, Panaji-Goa, for determining the applications filed under 28-A of the said Act in Acquisition of Land at Miramar for Parks, recreational and other development of the area.

By order and in the name of the Governor of Goa.

Ashutosh Apte, Under Secretary (Revenue-I).
Porvorim, 3rd June, 2013.

Order

No. 23/18/2011-RD

Whereas, the Government of Goa, vide Notification No. 23/18/2011-RD dated 08-06-2011, issued under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) (hereinafter referred to as the "said Act"), and published in the Official Gazette, Series II No. 11 dated 16-06-2011, notified that the land specified in the Schedule thereof (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for construction of road from Shantadurga Temple to Harijanwada in Ward No. 4 V. P. Dhargal in Pernem Constituency (hereinafter referred to as the "said public purpose");

And whereas, the Government of Goa considered the report made by the Collector under sub-section (2) of Section 5A of the said Act and on being satisfied that the said land is needed for the said public purpose, vide Notification No. 23/18/2011-RD dated 20-03-2012, issued under Section 6 of the said Act, and published in the Official Gazette, Series II No. 4 dated 26-04-2012, declared that the said land is required for the said public purpose.

Now, therefore, in exercise of the powers conferred by Section 7 of the Land Acquisition Act, 1894 (Act 1 of 1894), the Government of Goa hereby directs the Collector, North Goa District, Panaji to take the order for acquisition of the said land.

By order and in the name of the Governor of Goa.

Anju S. Kerkar, Under Secretary (Revenue-II).
Porvorim, 3rd June, 2013.

Corrigendum

No. 23/1/2011-RD

Read: Government Notification No. 23/1/2011-RD dated 11-10-2012 regarding Land Acquisition for improvement and widening of the existing road Leading to Muddi and construction of linking roads in Muddi Village Mallar of Tiswadi Taluka in Village Panchayat Sao Mathias published in the Official Gazette, No. 30 Series II dated 25-10-2012. The two local news papers "Lok Math" dated 17-10-2013 and "The Navhind Times" dated 17-10-2013.

In the above-cited Notification No. 23-1-2011-RD dated 11-10-2012, at para 2 & 3 the words "Deputy Collector (LA), Panaji Goa" shall be read as "Deputy Collector & SDO., Sub-Division, Panaji-Goa".

The rest of the contents of Notification shall remain unchanged.

By order and in the name of the Governor of Goa.

Anju S. Kerkar, Under Secretary (Revenue-II).
Porvorim, 3rd June, 2013.

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Department of Social Welfare

Corrigendum

No. 13/34/2011-SWD/7998

Read: Order No. 13/34/2011-SWD/4783 dated 25-09-2012.

In the fifth line of para one of above referred Government Order the word 'officiating' may be substituted as 'temporary'.

After second para following two paras shall be added:

Kum. Supriya D. Arolkar is declared medically fit as per report of the Medical Board of Goa Medical College.

As per the report of District Magistrate, North Goa, nothing adverse is reported regarding character and antecedents of Kum. Supriya D. Arolkar.

By order and in the name of the Governor of Goa.

V. M. Paranjape, Director & ex officio Jt. Secretary (Social Welfare).

Panaji, 27th December, 2012.

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Department of Transport

Directorate of Transport

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Order

Ref. No. D.Tpt/EST/244/2013/1991

Ref: This Office Order No. D.Tpt/EST/244/2012/4134 dated 04-12-2012.

The Government is pleased to extend the ad hoc promotion of Shri Vishram J. Govekar to the post of Deputy Director of Transport for a further period of six months i.e. upto 03-12-2013.

By order and in the name of the Governor of Goa.

Arun L. Desai, Director and ex officio Addl. Secretary (Transport).

Panaji, 5th June, 2013.

Notification

No. 5/9/90-Tpt/2013/1994

In exercise of powers conferred by clause (xii) of sub-rule (1) and Rule 22 of the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974, the Government of Goa hereby exempts new vehicle of make Wagon R LXI BS4 bearing chassis No. MA3EWDE1S00-563472 D-D and Engine No. K10BN-4525942 of model April, 2013 owned by Diocesan Society of Education, Instituto Nossa Senhora De Piedade, D. B. Marg, Panaji-Goa, from payment of tax due to this State, being a Charitable Institution.

Arun L. Desai, Director and ex officio Addl. Secretary (Transport).

Panaji, 5th June, 2013.

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Department of Women & Child Development

Directorate of Women & Child Development

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Corrigendum

F. No. 4-19-96-SWD-W&CD/4540

Read: Notification No. 4-19-SWD-W&CD/2415 dated 05-03-2013.

In partial modification to the Notification cited above, the entry at Sr. No. 7 may be corrected to read as under:

Original entry	Corrected entry
7. Smt. Samira Rodrigues, Nuvem, Salcete-Goa	7. Smt. Samira Cardoso, 13/F, Hill View Estates, Gounlloy, Nuvem, Salcete-Goa.

By order and in the name of the Governor of Goa.

Sunil P. Masurkar, Director & ex officio Jt. Secretary (Women & Child Development).

Panaji, 3rd June, 2013.

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Published and Printed by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE—Rs. 24.00

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA-88/450-6/2013.